



SAREA ROADS AUTHORITIES & UTILITIES COMMITTEE

Minutes of the QUARTERLY MEETING

Date: 1st February 2024

Meeting held on MS TEAMS

Present:

Mike Grunwell (Chair)	M.G.	Dumfries and Galloway Council
Sarah Abbot	S.A.	Netomnia
Vincent Addo	V.A.	Hyperoptic
Caroline Auld	C.A.	Network Rail
Joanne Bain	J.B.	Axione
Jamie Barr	J.B.	East Renfrewshire council
Neil Brannock	N.B.	Autolink M6
Ainsleigh Brown	A.B.	Transport Scotland
Sharon Burns	S.B.	GoFibre
Katie Campbell	K.C.	North Ayrshire Council
Joao Carmo	J.C.	SPEN
David Carter	D.C.	South Lanarkshire Council
Michael Casey	M.C.	Royal Mail
Ian Clarke	I.C.	Virgin Media / O2
Martin Cochrane	M.C.	Amey
Alexander Crombie	A.C.	Scottish Water
Gerry Cullen	G.C.	Amey
Karyn Davidson	K.D.	Vodafone
Jim Forbes	J.F.	CityFibre
Ross Gray	R.G.	SSEN
Julie Greig	J.G.	SGN
Barry Hall	B.H.	GTC-UK
Jason Halliday	J.H.	o.S.R.W.C.
Kevin Hamilton	K.H.	Scottish Road Works Commissioner.
Katrina Hardy	K.Ha.	INEOS
David Hearty	D.H.	MBNL-EE/3
Adrian Henzler	A.H.	Openreach
Keith Johnson	K.J.	Scottish Borders
Matthew Jones	M.J.	Last Mile

Present (continued):

Lynne Lyle	L.L.	Ayrshire Roads Alliance
Clare McCulloch	C.McC.	Dumfries and Galloway Council
Carole McDonald	C.McD.	Fibrus
Jordon McDonald	J.McD.	CityFibre
Michelle Mac Donald	M.MacD.	Virgin Media / O2
Ross McIntosh	R.McI.	Balfour Beatty
Craig McQueen	C.McQ.	Scottish Water
Graham Milne	G.M.	oSRWC
Chris Murray	C.M.	Sky
John O'Neill	J.O'N.	Netomnia
Valerie Park	V.P.	South Lanarkshire Council
Kat Quane	K.Q.	Transport Scotland
Graeme Robin	G.R.	North Ayrshire Council
Jonathan Sabbatinelli	J.S.	City Fibre
Evelyn Scott	E.S.	Indigo Pipelines
Ruth Scott	R.S.	Neos Networks
David Shaw	D.Sh.	Ayrshire Roads Alliance
Riley Shannon	R.S.	Amey
Graham Slorach	G.S.	Netomnia
Laura Snedden	L.S.	BEAR Scotland
David Thomson	D.T.	SPEN
Steve Tilson	S.T.	Zayo

In Attendance: -

George Borthwick	G.B.	Secretary to SW Area RAUC
Robert Young	R.Y.	Scottish Government

Apologies:

Gavin Cook	G.C.	East Renfrew Council
Owen Harte	O.H.	Virgin Media
John Henderson	J.H.	Scottish Borders Council
Ian Dalrymple	I.D.	Openreach
John McCulloch	J.McC.	Balfour Beatty M77 DBFO
Fiona McInnes	F.McI.	Scottish Water
Stephen Scanlon	S.S.	Openreach

1. Welcome, Attendance and Apologies

Michael Grunwell welcomed all to the SAREA RAUC Meeting. This meeting was being held on MS TEAMS.

The Representatives heard a short message of condolence from Michael relating to the sudden death of Andy Matheson. There was a short period of silence while the Representatives had the opportunity to read the on-screen message provided by Andy's Family.

The thoughts of the Community are with Andy's family following his sudden death which will be a huge loss to them and the RAUC(S) Community. Andy had been involved in the Community for a number of years during which he provided input in many ways which was appreciated by all.

Apologies were recorded as listed above.

2. Approval of the Minutes of the Meeting Held on 28th September 2023

a. Accuracy

The minutes of the SAREA RAUC Meeting held on 28th September 23 on MS TEAMS were approved as read.

b. Action Tracking Summary

Comments are recorded on the Action Tracking Summary.

3. Written Reports from Local Co-Ordination Meetings / Clusters

Reports to the Committee were recorded as follows: -

Ayrshires and East Renfrewshire Local RAUC – Lynne Lyle

There were no major issues to be remitted to this meeting.

South Lanarkshire Local RAUC – David Carter

There were no major issues to be remitted to this meeting.

East / Mid Lothian and Scottish Borders Local RAUC – John Henderson

Keith Johnson was on the call and reported that there were no major issues to be remitted to this meeting.

Dumfries and Galloway Local RAUC – Michael Grunwell

There were no major issues to be remitted to this meeting.

4. Matters Arising from RAUC(S) Meeting 25th October 2023

The previously circulated draft Minute was taken as read. M.C. commented as follows: -

- The SROR had been approved and published. It contained reference to the requirements of the 6 year guarantee.
- The Commissioner planned an online seminar on the subject of the revised SROR in November.

a. RAUC(S) Working Group Membership

Due to Eleni Gigourtaki and Rob James leaving the Group there were two vacancies to be filled. Eleni and Rob were thanked for their input to the work of the Group.

Nichola Millar (West Lothian) has offered to join the group and Maggie Baird (Fife) indicated that she would join if there were no other volunteers.

David Carter has since agreed to join the Group. D.S. pointed out that including himself there would be three Representatives from the SAREA so the R.A. attendance could still be adjusted if a Representative came forward from either the WAREA or the NAREA.

J.F. indicated that SJUG would confirm replacements for A.M. on the relevant Groups.

Volunteers should contact the Working Group Co-Chairs.

b. HAUC UK Working Groups (R.A. Reps Required)

There are two vacancies on HAUC UK Working Groups (TAG and Reinstatement W.Gs). The R.A. Representatives were asked to seriously consider volunteering for one or other of these Groups to ensure the Scottish Community was represented in the decision making. Membership also provided good experience in career development.

Volunteers should contact the RAUC(S) Co-Chairs.

5. Government and S.R.W.C. Reports

a. Scottish Government Report

The previously circulated papers were taken as read with the following comments from K.Q.: -

Progress is ongoing on the introduction of the various sections of Transport (Scotland) 2019 Legislation. The previously circulated batch diagram was commented as follows: -

The following three sections will come into effect on 1st April 2024

Compliance Notices (Multi part provision)
SRWC Inspectors (Multi Part Provision)
Make Vault Mandatory (Multi part provision)

While these deal with the legal introduction the Commissioner has prepared documents on the Operation of the Compliance Inspectors.

The mandatory action on Vault requires all to submit details of the plant they are constructing or working on. This does not affect the ongoing requirement to maintain and submit the plant data already provided on the regular updates. At present there is no check on quality of the data.

This will be a soft introduction requiring initially as much data as possible to be provided but there will be a quality element introduced once the standard is decided.

At the last PDG Meeting the decision was made that the Symbology element of VAULT should remain the responsibility of the Community to maintain and agree.

The remaining Legislation on the Batch Diagram is the review of the FPN management which will follow on from the above-mentioned Legislation. This will consider the following issues: -

FPNs for a wider range of offences
FPNs increased in value (index)
New FPN for not complying with compliance notice/ RQP (SRWC only)
Sanctions for cat A inspection failures

A review of the FPN system, including the introduction of two new penalties outlined in the 2019 Act This includes consideration of a specific FPN for failure to provide an RQP, and a specific FPN for failure to follow a compliance notice.

There are existing Ministerial commitments including expanding the scope and scale of the FPN framework, and a commitment to a specific sanction for poorly guarded live sites in addition to the inspection fee.

Codes of Practice

The SRWC has published his Authorised Officer Code of Practice, which was a Ministerial requirement as part of the Transport Bill. The oSRWC is responsible for this document.

The National UK wide Diversionary Works Code and the Safety at Street Works and Road Works a Code of Practice are currently under review. DfT have recently appointed a consultant to facilitate the review of the Safety Code.

SEPA/Coal Tar

The Community is reminded that while SEPA/EPA do analogous functions in England and Scotland, they are two separate agencies which answer to the different Governments. On that basis, agreements or policy positions made by one Organisation are not automatically applicable to the other.

SEPA supports evidence-based policy making, and are open in general to reviewing any new evidence put before them on subjects for which they are the regulatory body, particularly where that evidence is broad/activity based and not specific to a Sector or Organisation i.e. submitted by say RAUC(S)

SEPA have advised that in general terms, they would be willing to review new evidence on the matter of coal tar ideally if it has whole community applicability and not affecting one Organisation.

Fees and Amounts 2024.

The Fees and Amounts consultation has now closed. There was one suggestion for a change to the mechanism for the allocation of the fees between R.As and S.U.s. If RAUC(S) wish to

progress a review and take forward any change, the proposed mechanism would need to be submitted to Transport Scotland officials by September 2024 to make the deadline for the next consultation.

K.Q. responding to a query from J.F. relating to whether R.As would have to carry out CAT A inspections on their own sites said that this would be discussed with the Minister and the PDG.

J.F. indicated that their VAULT data was up to date but wondered if there would be any additional requirements placed when the Legislation was introduced in April. K.Q. indicated that any Organisation with their data up to date would just continue to upload any additional plant which they installed i.e. if you work on plant, it should either be on the Register or added if it is not already posted.

If an Organisation does not have a record of their plant they cannot submit it to VAULT but should they then locate plant and work on it they would then be required to load it into VAULT.

The aim is to deal with quantity first then quality of the data could be considered.

The Commissioner would be able to contact Organisations which have not provided data or are not providing uploads to VAULT.

As before there will be a seminar on the new Legislation as it is introduced.

J.F. pointed out that any coal tar layers would be part of the R.A. infrastructure so should they have to pay for dealing with it? This is covered in the Legislation which requires the Organisation to deal with any arisings they create.

5b. Scottish Road Works Commissioner's Report

Compliance with Safety at Street Works Code of Practice (Red Book)

The Commissioner is investigating a Local Authority whose contractor was observed carrying street lighting upgrade works with no appropriate signing and guarding. There is evidence of repeated incidents of a similar nature.

Several issues have emerged from the ongoing investigation which the Commissioner wishes to highlight: -

- Authorities should ensure that their contract processes refer to compliance with the Code of Practice for Safety at Street Works and Road Works (the Red Book) which has been mandatory since January 2022. References to 'Chapter 8 of the Traffic Signs Manual' are not appropriate if the works are on urban low speed roads.
- Authorities should ensure that the site inspection processes of their works are identifying and recording signing and guarding issues along with any other health and safety issues. If inspections are consistently not identifying issues, this should be challenged and checked.
- Authorities should ensure that their processes for ensuring contractors meet the requirements for having qualified operatives on-site and supervised by qualified staff are robust. It has been a legal requirement to have qualified operatives and supervisors since April 2023.

Ensuring compliance with the Red book will be a Commissioner priority for 2024/25 and this will be a focus of the new Compliance Officers.

Performance

Dashboard

The SRWR 2023/24 Q3 quarterly dashboard was issued on the 16th Jan 2024. The Q4 update will be issued w/c 15th April 2024.

Noticing Failures

The Commissioner remains concerned that both R.As and S.U.s. are failing to meet the 4% target for noticing failures. The year average for R.As. is 5.9% and S.U.s. is 7.5%. There has been a significant improvement in compliance recorded by the Telecom sector.

Inspection Processes

The Commissioner has carried out an investigation into Roads Authority sample inspections.

A significant number of authorities are recording a pass rate of >95% for Cat A, Cat B & Cat C inspections. There is concern that the majority of inspections do not have photographic evidence to support the results. R.As which routinely take photographs during inspections record a lower pass rate. The Commissioner would strongly encourage all R.As. to routinely take photographs to support inspection results. This is easy to do with the SRWR Inspectors App.

The content of photographs must be relevant clearly showing the site location and the defect which was being raised. These factors allowed Organisations to easily locate the site and know what the fault was before visiting the site.

Some photographs were received with relevant information which was appreciated.

Photographs provided a history of the reinstatement which in later years e.g. for the 6year guarantee inspections would help locate the site to be tested.

If the photograph is not accurate the Notice could be declined so as noted above accuracy was essential.

The Commissioner reiterated his comments above and suggested that the use of Photographs could provide a Management Tool to monitor not only the S.U. but also the performance of the R.A. inspectors. He recommended that photographs should be taken on both pass and fail sites to complete the history of the site.

Processes and the Results associated with the R32/33 & 34 SRWR reports.

R32 – Inspections recorded late by RA's - Excellent progress has been delivered by all authorities with the exception of Transport Scotland South West Unit.

R33 – Reinstatement Defects still requiring a D/3 or DA3 inspection - City of Edinburgh and Glasgow City continue to be responsible for the significant number of outstanding D/3 and DA3 inspections. The Commissioner requests that R.As deal with this issue before the end of Q4.

R34 – Outstanding Defects > 6 months

Progress has been delivered although there are still large numbers against BT, Scottish Water, GN, SP Energy Networks and Virgin Media. The Commissioner requests that R.As and S.U.s work together to significantly reduce the number of defects outstanding by the end of Q4.

J.G. indicated her concern about the R£\$ Report recording works defects and defective apparatus. In her view the the Report should only deal with Works Defects.

SRWR Gazetteer

Every R.A. required to provide a gazetteer for the 24 November 2023 deadline made a submission with a 100% success for Q3. The Commissioner would like to thank all R.As for their work to achieving this.

Commissioner Improvement Plans

The following Organisations are currently on improvement plans: - Aberdeenshire Council, Axione UK Ltd, BT, City of Edinburgh Council, Lothian Broadband, Moray Council, Netomnia, Scottish Hydro Electric Power Distribution and SP Energy Networks.

Good progress has been delivered by BT and Lothian Broadband and the Commissioner is also pleased to note that SGN are now no longer on an Improvement Plan.

Note that the next Improvement plan submissions are due on the **12th** April 2024.

Policy and Quality

Compliance Officers

The Authorised Officers Code of Conduct (relating to activities of the Compliance Officers) was presented to the November RAUC(S) meeting and has now been published on the website.

Recruitment is proceeding well, and it is hoped to have staff in post in advance of Compliance Powers coming into force on 1 April 2024.

Introduction of these new powers will require some revisions to the Penalties Code which will be presented to RAUC(S) in February.

Extension of works without agreement-

The Commissioner was recently made aware of an overrunning works by a member of the public. The S.U. carrying out the works indicated that this had gone into overrun because the R.A. had declined to issue an extension. For the avoidance of doubt, in situations where an extension cannot be agreed, undertakers should extend their works without agreement. This will ensure visibility to users on both the SRWR and [Scottish Road Works Online \(roadworksscotland.org\)](https://www.scottishroadworks.org).

Undertakers should only extend without agreement as a last resort and must not overuse this function.

R.As are reminded that they can issue a Section 125 Notice in circumstances where works are taking a longer period than is reasonably necessary.

It was noted that the Coordination Code covered the above if the R.A. could not be contacted.

Section 125s should only be issued where there was just cause and where the matter has been fully discussed.

Safety / Technical Standards

National Coring Programme

The Commissioner has issued penalties totaling £138,000 to seven S.U.s following the publication of the National Coring Programme results. The Organisations and the values of the penalties issued are as follows:

Company	Penalty amount
Virgin Media	£80,000
Last Mile Electricity	£15,000
Vodafone	£15,000
Scottish Hydro Electric Power Distribution	£12,000
Neos Networks	£7,000
Mua Electricity	£5,000
Commsworld	£4,000

Safety at Street Works and Road Works Code of Practice:

The current Review is on-going.

Safety Bulletin:

The Bulletins continue to be issued by via the RAUC(S) secretariat as and when they arise.

Management & Operation of the SRWR

T(S)A Changes

Transport (Scotland) Act changes to the SRWR dealing with Unidentified Buried Objects and Compliance Notices are expected to roll out on 4 April 2024

The legislative requirement for all Undertakers to have submitted a data set to Vault also comes into force on 1 April 2024. Last Vault submission date to meet this deadline will be 15 February 2024.

Vault

The Vault FAQ has been updated to reflect the change to showing assets by type rather than by owner. There is also updated guidance on how higher risk assets can be highlighted to users of Vault.

BT is now submitting data to Vault using an “on demand” model. This data is taken live from BT servers.

The option to provide data using an “on demand” model like BT’s is available to other Organisations should they be interested.

SRWR Training

The use of the SRWR e-learning packages (those in the Aurora Academy) has declined. This may be due to the fact all operators have been trained and there is a more stable user base, but all Organisations are reminded that they need to be able to prove the competency of their staff. The easiest way to achieve this is to make use of these e-learning packages.

SRWR Procurement

The current contract for the provision of the SRWR has been extended to end on 31 March 2025.

Following a recent procurement gateway review it was decided to delay the issue of the Invitation to Tender until January/February 2024. This will not impact the delivery date for the new service on 1 April 2025.

New Organisations on SRWR

Eclipse Power Networks Ltd has been given access to the SRWR.

Broadway Partners Limited entered into administration and its assets were bought by Voneus Limited, which has taken responsibility for both the assets and reinstatements.

RAUC(S) Community Diary

The RAUC(S) Community Diary has moved from the Google calendar to the Microsoft calendar. Anyone linking the calendar in their Outlook (or similar) systems will need to subscribe to the new link provided. More detail is available on the Commissioner’s website at: -

[Online Community Diary | Scottish Road Works Commissioner](#)

Systems Assurance Team

Systems Assurance Team met on 23 November 2023. Caroline Auld has taken over the Team Chair while Clare O’Brien is on maternity leave.

Prescribed Fees and Amounts

IR will start preparing the Prescribed Fees and Amounts matrix for the 2024/25 invoices which will be issued for 1st April 2024.

D.C. asked about the Inspection Fees as it was some time since the last review was carried out. J.G. commented that the data provided from the R.As in the last review was not consistent and, in some cases, very poor and when the calculations were made the rate was less than was being charged.

A review could be carried out but it would need to be based on the actual costs incurred by R.As in carrying out an Inspection. The decision to progress a review would need to come from RAUC(S) and be carried out by the R.As who would need to develop the Questionnaire and the Matrix to deal with the data.

A suggestion was made that a review could be carried out via SCOTS.

G.C. was concerned about the quality of data in VAULT as it would be used by the Community to locate plant prior to carrying out works. It will be a costly and time consuming. K.Q. responded that populating VAULT was a required by Legislation, but the Community could still use other sources of data e.g. the individual Organisation record facility, Linesearch etc. The legislation will require all plant being installed and or worked on, to be recorded and further instructions will be given on the required standards.

The Commissioner indicated that the VAULT FAQs had been updated and should be used in the first place for guidance.

There was concern about the quality of Section 109 data posted on the Register by R.As as it would be provided by the permit holder who may not have the ability to produce accurate drawings and or shape files. This would create yet another burden on R.A. staff who would in some cases need to produce the record for posting

In addition, the process for the adoption of the plant needed to be considered. Would plant data end up as a Section 109 record or would it be adopted by the S.U. There was always the possibility of it being two records.

The R.As are facing increasing task lists and there is not the staff or the budget to deal with them. An additional layer had been requested for the 109 plant but the SAT had turned it down on the basis of the cost.

There is also the question of who will be responsible if Sect 109 plant is damaged due to the plant data being wrong on VAULT. These records will have been posted on the basis of best information available.

The Commissioner commented that while there may be increasing numbers of 109s, this is not new legislation and processes should have been in place. The R.A can set the Fees to cover the administration of the permit, inspections and recording the finished plant data.

The facility was in place before multi utility Organisations were formed and Scottish Water stopped carrying out the work to provide service connections. The burden just keeps rising.

D.C. was concerned about workload, and data quality and asked for this matter to be reviewed. The PDG may be able to review this issue.

Action –

Commissioner / K.Q.

6, **Working Group Reports**

Coordination Working Group

- The Group has not met since last year, but a date for the next meeting will be set.
- The Group completed the review of the list of suggested revisions submitted by K.Q and these had resulted in these being incorporated into the relevant documents.

Inspections Working Group

- The last meeting of the Group was cancelled but this has been reset.
- The Inspections Reports for LRAUC Meetings have been drafted by V.P. / J.G. and F.McI. and are now being discussed with I.R. and Symology.

SROR Working Group

There have been no meetings recently.

SAT

The work of SAT is ongoing with new Change Requests being reviewed.

SRWR Steering Group

The update was covered in the items in the Commissioners Reports above.

RQP Working Group

There are no issues to be discussed at present so the Group is not meeting. If required they will be recalled.

Gazetteer Group

The work is ongoing with R.G. meeting with individual Authorities to discuss data in their Gazetteer which appears to need revision. Progress on updating is going well.

National Coring Working Group

The Group continues to meet regularly and have been considering the following: -

- A questionnaire had been drafted to get information on experience in the last programme to feed into the development of the next programme. The questionnaire will be issued in the next few days to all staff who were involved in the last programme and they are asked to complete it and return it to the Group for analysis.
- The time lines for the arrangements for the next programme will be set to allow it to commence on 1st April 25. The Restatements for coring will be those completed between 1st April 24 and 31st March 25.
- There was a suggestion that Section 109 sites could be cored but the view was that this would be an add on to provide information for the R.As only and not for the Final Report.

7. Health and Safety

Safety Bulletins are being circulated by the Secretariat when they are available, but the Community is asked to provide more bulletins and reports from their Organisation. There may be reports on events which will prevent the problem being repeated.

a. List of Plant Protection Systems

This is a standard Item on the Agendas giving all the opportunity to update their details in order that the schedule is up to date on the Web Site.

This Schedule requires to be updated to record the new Organisations which have joined the Community.

b. Emergency Contact Details

This is a standard Item on the Agendas giving all the opportunity to update their details in order that the schedule is up to date on the Web Site.

The existing Schedule needs to be checked and revised, if necessary, then circulated across the Community so that operators etc know who to contact 24 / 7 to report an emergency. There are several new Organisations on the list with no contact information provided.

Details of new, maybe smaller Organisations, emergency contacts are required. **Action – Secretary**

8. AOCB

a. LINEWATCH Presentations

K.H. informed the meeting that invitations would be sent out for the presentation as follows.

INEOS are hosting Pipeline Awareness Presentations by Linewatch, followed by a short INEOS O & P Presentation highlighting their pipeline routes etc. Each Session should last about 1.5 hours and will be held in INEOS Chemicals Grangemouth Ltd., Headquarters, 1 Inchyra Road, Grangemouth, FK3 9XB

Linewatch presentations are free and are aimed at any person who may carry out or plan works in close proximity to oil and gas pipelines owned or operated by the companies represented by LINEWATCH.

Can you please confirm by email if you or any delegates from your organisation and contractors would like to attend and which session you would prefer.

Planned Sessions:

AM Tuesday 9th April Two Sessions available - 09:00 – 10:30 Hybrid and 11:00 – 12:30 Hybrid
PM Tuesday 9th April 13:30 – 15:00 Hybrid
AM Wednesday 10th April 09:30 – 11:00 Online only

Please note – Hybrid Sessions in person limited to 45 attendees. Online is unlimited.

b. Traffic Management Left on Site

D.C. reported that T.M. was being left on site when the work was completed resulting in complaints from the councilors and the public.

This was likely to be caused by a communication problem between the S.U. and the T.M. Contractor.

The T.M. Contractors were being informed that the equipment can be removed but there are occasions when the removal is not actioned. J.G. asked for reports to be passed to SGN so that action could be taken to have the site cleared and the contractor reminded of their responsibilities.

c. Aggregate Prices

K.Q. asked R.A. and S.U. Representatives to send her a list of the prices they are paying for aggregates and bituminous materials in order that she could produce a report on the current costs to the Industry.

Action – All

d. SAREA Chair

The Committee thanked Michael for his work over the last 2 years chairing the SAREA RAUC'

Openreach will Chair the meeting for the next 2 years.

9. Date and Venue of the Next Meeting

M.G. thanked all for their attendance at the meeting.

Next Meeting: – Thursday 30th May 2024

Venue: - MS TEAMS

Future Meeting Dates: - Thursday 26th September 2024

Meeting ended – 12.20